

No. 21-5166

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UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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LOPER BRIGHT ENTERPRISES, INC., et al.,  
*Plaintiffs/Appellants,*

v.

GINA RAIMONDO, in her official capacity as Secretary of Commerce, et al.,  
*Defendants/Appellees.*

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Appeal from the United States District Court for the District of Columbia  
No. 1:20-cv-466 (Hon. Emmet G. Sullivan)

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**CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES**

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Counsel for the federal appellees certifies as follows:

**A. Parties and Amici**

The parties who appeared before the district court and in this Court are:

(1) *Plaintiffs/Appellants*: Loper Bright Enterprises, Inc.; H&L Axelsson, Inc.; Scombrus One LLC; and Lund Mar Trawlers LLC.

(2) *Defendants/Appellees*: Gina Raimondo, in her official capacity as Secretary of Commerce; U.S. Department of Commerce; Richard W. Spinrad, in

his official capacity as NOAA Administrator; National Oceanic and Atmospheric Administration; Chris Oliver, in his official capacity as Assistant Administrator for NOAA Fisheries; and National Marine Fisheries Service.<sup>1</sup>

In addition to the above parties, the following plaintiffs were dropped as parties in district court pursuant to Federal Rule of Civil Procedure 21: Cape Trawlers, Inc.; Golden Nugget LLC; Mount Vernon LLC; and Nancy Elizabeth LLC. *See* Minute Order (Apr. 22, 2020). These plaintiffs have not appeared in this Court.

## **B. Rulings Under Review**

According to plaintiffs' certificate, they seek review of the district court's memorandum opinion and order granting defendants' motion for summary judgment and denying plaintiffs' motion for summary judgment. *See* Order (June 15, 2021), ECF 36; Memorandum Opinion (June 15, 2021), ECF 37.

## **C. Related Cases**

There are no related cases within the meaning of Circuit Rule 28(a)(1)(C), but a substantially similar case is pending in the District of Rhode Island. *See Relentless, Inc. v. U.S. Dep't of Commerce*, No. 20-cv-108 (D.R.I.).

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<sup>1</sup> Before the district court, plaintiffs sued now-former officials Wilbur L. Ross, Jr., in his official capacity as Secretary of Commerce, and Neil Jacobs, in his official capacity as Acting NOAA Administrator. Secretary Raimondo and Administrator Spinrad are automatically substituted for their predecessors. *See* Fed. R. Civ. P. 43(c)(2).

Respectfully submitted,

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